

## **FISCAL NOTE**

### **SB 1728 - HB 1652**

April 3, 2003

#### **SUMMARY OF BILL:**

- Requires building officials to obtain an administrative inspection warrant in the event that such official is denied permission to make an inspection.
- Requires the official issuing the warrant to determine that the agency employing the building official has statutory authority to conduct the inspection and that probable cause exists to believe a violation has occurred.
- Defines probable cause for the purpose of the bill. Outlines the contents of the inspection warrant.
- Provides that any person who willfully refuses to permit or obstructs the inspection described in an inspection warrant commits a Class C misdemeanor.

#### **ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures - \$73,000 Recurring**

**\$12,700 One-Time**

**Increase Local Govt. Expenditures - Not Significant**

**Increase Local Govt. Revenues - Not Significant**

According to the Department of Commerce and Insurance, there are approximately 15,000 yearly building inspections. If just 10% of those inspections resulted in the need to obtain a warrant, the Department feels that it would create a tremendous burden. It is therefore assumed that an additional attorney will be needed within the Department to handle the request for warrants that may be filed under the provisions of this bill.

Local impact depends upon the number of persons convicted of this offense and the resulting increased cost to local governments to confine such persons versus the increased revenues to local governments from fines levied and collected under the provisions of this bill.

#### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director